

**REMARKS**

Reconsideration of the present application as amended is respectfully requested. Claims 1, 3, 9, 10, and 11 have been amended. Support for the amendments to claims 1, 3, 9, 10, and 11 can be found at at least page 24, paragraph [0083] to page 28, paragraph [0093] and Figures 15-19B of the application as originally filed. New claims 16-18 have been added. Support for new claims 16-18 can be found at at least page 25, paragraph [0085] and Figure 15 of the application as originally filed. Claims 1-18 are currently pending.

Claims 1 and 3-15 stand rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 6,026,890 to Akachi ("Akachi"). The Office Action asserts that Akachi discloses "a heat transfer device comprising all of the applicant's claimed and disclosed limitations of the instant invention." Independent claim 1 has been amended to include the features of "a low-profile extrusion having an inner and outer external surface and having a first sealed end and a second sealed end, said low-profile extrusion being curved upon itself into a generally toroidal shape such that said second sealed end is disposed generally opposite said first sealed end."

Akachi describes a heat exchanger utilizing a multi-hole flexible band of light metal which is formed with a plurality of longitudinal small holes extending in parallel to one another from one band end to the other end. Akachi still further describes that the multi-hole band is bent in such a shape that the band meanders between a high temperature region and a low temperature region. Akachi describes in a further embodiment that the multi-hole band may be wound in a vortical manner so as to describe a spiral in a plane. Applicant respectfully submits that Akachi fails to teach or suggest at least the features of independent claim 1 of a low-profile extrusion being curved upon itself into a generally toroidal shape such that a second sealed end is disposed generally opposite a first sealed end. Applicant respectfully submits that independent claim 1 distinguishes over Akachi and requests that the 35 U.S.C. 102(b) rejection of independent claim 1 be withdrawn.

Independent claim 3 has been amended to include the features of "a low-profile extrusion having a first sealed end and a second sealed end, the low-profile extrusion being curved upon itself and forming a generally toroidal shape such that said second sealed end is disposed generally opposite said first sealed end." For similar reasons as those discussed with

respect to independent claim 1, Applicant respectfully submits that independent claim 3 distinguishes over Akachi and requests that the 35 U.S.C. 102(b) rejection of independent claim 3 be withdrawn.

Independent claim 10 has been amended to include the features of "placing a generally toroidally-shaped heat pipe substantially near at least one of the heat generating elements, the generally toroidally-shaped heat pipe including a low-profile extrusion having a first sealed end and a second sealed end, the low-profile extrusion being curved upon itself forming a generally toroidal shape such that said second sealed end is disposed generally opposite said first sealed end." For similar reasons as those discussed with respect to independent claim 1, Applicant respectfully submits that independent claim 10 distinguishes over Akachi and requests that the 35 U.S.C. 102(b) rejection of independent claim 10 be withdrawn.

Claims 4-9 and 11-15 are dependent upon and include the features of their respective independent claims 1, 3, and 10. For at least the reasons as discussed with respect to independent claims 1, 3, and 10, Applicant respectfully submits that claims 4-9 and 11-15 also distinguish over Akachi and requests that the 35 U.S.C. 102(b) rejections of claims 4-9 and 11-15 be withdrawn.

Claim 2 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Akachi in view of U.S. Patent No. 6,026,890 to Li ("Li"). The Office Action asserts that "Akachi's invention discloses all of the claimed limitations from above except for a spring structure abutting the fin structure and adapted for thermal connection of the cooling system to the heat-generating component." The Office Action further asserts that Li teaches "a spring structure (3) abutting the fin structure and adapted for thermal connection of the cooling system to the heat-generating component." The Office Action still further asserts that "given the teachings of Li, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the cooling device of Akachi with a spring structure abutting the fin structure and adapted for thermal connection of the cooling system to the heat generating component." The Office Action indicates that "doing so would provide an efficient securing means for thermally connecting the heat sink with a heat-generating device."

Claim 2 is dependent upon and includes the features of independent claim 1. As discussed with respect to independent claim 1, Akachi fails to teach or suggest at least the features of independent claim 1 of a low-profile extrusion being curved upon itself into a generally toroidal shape such that a second sealed end is disposed generally opposite a first sealed end. Li describes a heat dissipating conduit having a loop cross section and having a heat dissipating fin plate arranged therein or around the perimeter thereof. Li further describes that the heat dissipating fin plate is formed by continuously folding a lengthwise plate and rolled and arranged within the heat dissipating conduit or around the perimeter of the heat dissipating conduit. Applicant respectfully submits that Li also fails to teach or suggest the features of independent claim 1 of a low-profile extrusion being curved upon itself into a generally toroidal shape such that a second sealed end is disposed generally opposite a first sealed end. Applicant respectfully submits that claim 2 distinguishes over Akachi in view of Li and requests that the 35 U.S.C. 103(a) rejection of claim 2 be withdrawn.

In view of the above amendment, Applicant believes the pending application is in condition for allowance.

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Respectfully submitted,

By   
Michael W. Maddox

Registration No.: 47,764  
JENKENS & GILCHRIST, A PROFESSIONAL  
CORPORATION  
1445 Ross Avenue, Suite 3200  
Dallas, Texas 75202  
(214) 855-4500  
Attorneys For Applicant